

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**RICHARD MCCUE,**

**Plaintiff,**

**v.**

**STEVE ALDRIDGE, WILLARD ELYEA,  
and TERRY CALIPER,**

**Defendants.**

**Case No. 05-cv-554-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is the Parties' Joint Motion to Dismiss (Doc. 83), requesting Plaintiff's claims be dismissed with prejudice, each party to bear their own fees and costs.<sup>1</sup> The Court hereby finds that for good cause, said Motion should be **GRANTED**. Accordingly, Plaintiff's claims against defendants Elyea and Caliper are hereby **DISMISSED WITH PREJUDICE**, each Party to bear his respective fees and costs. Judgment to enter accordingly.

**IT IS SO ORDERED.**

Signed this 22<sup>nd</sup> day of September, 2008.

/s/      David R. Herndon

**Chief Judge  
United States District Court**

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<sup>1</sup> Only defendants Elyea and Caliper remain; Plaintiff's claims against defendant Aldridge were voluntarily dismissed with prejudice on August 11, 2008 (*see* Doc. 74).